Another Tea Pot Dome

"A Brief Oral History of the Terminated Uinta Indians"

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"There is sure to be some who will disagree with what is written here and even retaliation by someone, somewhere, because of what is in this piece. This Article is but a brief History of the Uinta's Heritage which is being disposed of systematically and is compiled from private oral interview's!"

The history plus the effects of Termination upon the Uinta Band who are tied into Government policy calling them Ute are truly Uinta Band Shoshone according to the Shoshone Goship Treaty of 1864.

In total the Uinta people hold three treaties, these are the 1850 treaty known as the Utah's Ratified, the 1861 Executive Order signed by President Abraham Lincoln and the 1864 Shoshone Goship Treaty. Total land mass 2,487,474 acres. The tie in occurred with the Brunot land cessions of Ute land in Colorado plus other actions implemented by the bureau concerning the Uinta Band.

The Ute Tribe has been called migrant by Utah political forces. Utah desires to abolish the entire reservation bringing all the Indians on the Uintah and Ouray (U & O) Indian Reservation under State authority, both politically and judicially.

Three bands of Indians reside within the U & O Reservation. These three bands are the Uncompaghre Utes, the Whiteriver Utes and the Uinta Band of Shoshone. The Uncompaghre and Whiteriver bands of Ute's are part of the five confederated bands of Ute's from Colorado. These Confederated Ute bands once held a treaty with the United States dated 1868. The Yampa Indians living in the area in what is now known as Meeker Colorado also once held an independent Treaty with the United States and they too were labeled as Ute's. Today this band is known as the Whiteriver band of Ute Indians.

The remaining three confederated Ute bands are known as the White Mountain Ute's, the Ute Mountain Ute's and the Southern Ute's and are located on reservation's in southern Colorado.

The Uinta Band are the sole owner's of the U&O, aka Uinta Valley, Reservation by treaty. The land and treaty has been abrogated since day one. In docket #44 and 45 entered in the Court of Claims in Washington D.C. both the legislative and Judicial branches of the Government Claims Commission reaffirmed the ownership of the Uinta Band! Today the Uinta Band is facing extinction because of Governmental and Ute Indian Tribal policy's being revised time and again.

Research into the discrimination on the Uintah & Ouray Reservation towards the Uinta Band was found to have began with the Indian Reorganization Act (I.R.A.) of 1934 which was implemented on the reservation in 1937. According to Oral history, the Government had to bring in interpreters as translators because the Uinta Band could not communicate with the other two Ute Bands cause the Uinta's spoke Shoshone not Ute, the Indians on the reservation rejected the IRA when it was first introduced in 1934, but the Government asked them to try it for three years. They said that at the end of the three year period Government Officials would return and hold a referendum by the tribal members which was never held. In 1937 the IRA was put into motion as policy decreeing the IRA tribal charter and bylaws.

With the implementation of the IRA the three segregated bands residing on the reservation became one glorified corporation, the Ute Indian Tribe, and which forced the Uinta's into becoming Ute's, classifying all three band as Ute's. Plus the name of the Reservation was changed from the Uinta Valley Reservation to the Uintah and Ouray Indian Reservation. The IRA did away with the traditional Tribal Counsel which was replaced with a Tribal Business Committee made up of two elected members from each of the three bands. By setting up this form of Tribal Government it gave too much power to the Business Committee because it never allowed for any checks and balances which allow's the Business committee to pass resolution's without the consent of Tribal members. The members of the Tribe have no way of countering any actions taken by Business Committee member's.

The Business Committee has passed several resolutions over the years that has hurt Tribal members and Tribal jurisdiction over land belonging to the Tribe.

Utah Code #1953 is a law and order code giving the tribe a guise of holding authority to prosecute Tribal member's in Tribal Court for committing offences on the reservation but does not give Tribal authority's jurisdiction to prosecute Non-Indians who break the law on the reservation. This code was accepted and passed by the Business Committee without offering a referendum to Tribal Member's so they could voted on it and voice their opinion one way or another.

The Department of the Interior claims to uphold Tribal sovereignty. The only case of the Ute Tribe using this sovereign authority is against the terminated Uinta Indians concerning their hunting and fishing rights which was never terminated in which the 10th U.S. District Court of Utah affirmed. Politically the Ute Tribe is the majority. Those who

were terminated under the Ute Partition Act are the minority without a voice in matters such as hunting and fishing because of their status as Indian under the law.

Starting in the late 1940's and continuing though the 1950's, the policy in Washington D.C. toward Indians was termination. The late Arthur Watkins, Senator from Utah was the chairman of the Senate committee on Indian Affairs from 1947 until about the mid 1950's. Senator Watkins became known in the Indian world as the villain of Termination. By 1953 this policy had been set in motion.

The Government conducted a survey in 1950 of several Indian Tribes who were being considered for termination to find out if they were ready for termination. The survey taken on the U & O Indian Reservation in Watkins own state of Utah was returned NO! Which was ignored because Senator Watkins had his mind made up that the Ute Partition Act would be made law even before the survey was conducted. The U.P.A. was to become the first of many Act's that was passed by Congress taking away Indian Identity and ruining countless numbers of live's.

Virtually every Indian Tribe who was eventually terminated was forced to give up their reservation lands containing some of the largest natural resource in the western hemisphere. Thirteen American Indian Tribes were terminated as whole tribes. But only the Ute Tribe of the Uintah and Ouray Indian Reservation was the only tribe where a part of the Tribe became victims of termination and they were 490 members of the Uinta Band.

When the U.P.A. was forced upon the Uinta Indians, the Uinta band numbered 760 members. On August 27, 1954, three quarters of the Uinta band were forced out of the Ute Tribe leaving those Uinta's who remained in the Tribe a minority without a voice in Tribal politics because the Tribal Business Committee out number the Uinta Delegates four to two. The other two migrant Bands now out numbered the remaining Uinta people by approximately one thousand in head count when it comes to voting on referendum's concerning Tribal business.

In 1951 the Uinta people was forced to accept a resolution known as the 1950 share and share alike agreement linked to a claim won in the Court of Claims which was the Colorado Judgement Money. This document was taken behind closed doors after the Uinta Band was forced to vote under duress. Government officials along with the Tribal Attorney changed the resolution to include all the lands and minerals belonging to the Uinta Band Treaty People.

This resolution was signed by Uncompaghre and Whiteriver Ute representatives only. No Uinta representative on the Tribal business committee was present. By the time the Uinta's found out what had been done to them it was too late because the resolution had already been passed by Congress in August of 1951.

This is how the resolution read's.

> (Where as, said Act of Congress further provided as follows:
>
> None of the funds involved herein shall be credited or distributed to the Ute Indian Tribe of the Uintah and Ouray Reservation, consisting of the Uintah, Uncompaghre, and Whiteriver Utes, until the Uncompaghre and Whiteriver Bands present to the Secretary of the Interior a release satisfactory to him relieving the United States of any liability resulting from the inclusion of the Uintah Band in the disposition or use of said trust funds.)

Starting with the Allotment Act of 1902 an (h) was added to the spelling of the word Uinta in all Government documents having to do with the Ute Indian Tribe on the U & O Reservation. The h was also used in the Indian Reorganization Act (I.R.A) as identification on the segregated Corporate identification roll.

The elders of the Uinta Band have always wondered why this was done. Was it a mistake made by a typist within the Government or was it deliberately done by Government officials to distort official documents so that the true identity of the Uinta's could not be linked to the Shoshone Goship Treaty of 1864 but instead used to link the Uinta's to the Ute's. Some Indians believe it was intentional done by Government Officials to distort the true identity of the Uinta's!

In 1953 a delegation from the Reservation made a trip to Washington D.C. to participate in the National Congress of American Indians. Julius Murray spokesman for the Uinta Band was part of the delegation representing the Ute Indian Tribe of the U & O reservation. According to Mr. Murray he noticed the Uncompaghre delegate get up and leave during one of the cessions. Wondering why this person was leaving the meeting with a Government Official, Mr. Murray followed the delegate to an office with in the Department of the Interior. Standing out side the office door, Mr. Murray couldn't help over hearing these two persons talking because the door to the office was left open.

It didn't take the two men long to realized that Mr. Murray was standing in the hall. They invited him in and said you may as well come in and learn what is going on. We, "meaning the Government and the Ute Tribe" are going to terminate the Uinta mixed-bloods members of the tribe on the reservation. The Bureaucrat with the Uncompaghre delegate was a Carl Cornelius an official from the Interior Department.

In early 1954, Senator Watkins had the termination plan for the Ute Indian Tribe brought to the U & O Reservation. A meeting was called in which all the members of the Ute Tribe who were 21 years and older and eligible to vote. There is no clear record of how many attended this meeting, but it is a known fact that no Uinta Band member voted for termination.

The Uinta people who attended this meeting got up and walked out in protest which was the old Indian way of casting a NO vote. Only eight Uinta's stayed and they voted no! Termination was forced upon the Uinta's by 152 members of the Uncompaghre and Whiteriver Bands. At the time of voting there was only 160 members of the Ute Indian Tribe present which should have made the meeting and the vote null and void because 160 people were not a major of the eligible voting members to make a quorum. The census of the Ute Indian Tribe of the U & O reservation at the time this meeting was held was 1700.

After the vote a bureaucrat stood at the door and took down the names of the Uinta Indian as they left the building and who had voted NO!

The Uinta Band sent an emergency telegram to the Secretary of the Interior trying prevent the signing of the Ute Partition Act because there was not a majority of the member of the Ute Tribe present during the meeting. But to the knowledge of the Indians involved, the telegram never reach the Secretary of the Interior, it was intercepted by someone within the Department and was destroyed.

In the days that followed the vote on termination. Some of the Uinta people and their Elders gathered to hold a meeting at the Tribal head quarters in Ft. Duchesne to figure out a plan to prevent the illegal termination of their Uinta Band members. The Tribal Business Committee with the backing of the superintend from the BIA, which was instigated by the Uinta's own Attorney John Boyden, declared this meeting an illegal protest and called in Federal law enforcement to break up the meeting, which violated the Uinta's Constitutional right to freedom of assembly.

Two of the Uinta's main Elder's, Julius Twohy and Etta McCurdy, were arrested and transported to and incarcerated in the Federal Jail in Salt Lake City. Other Uinta's who were present at the meeting were arrested and hauled off to the Uintah County Jail in Vernal, UT. None of those arrested were put in the Local reservation Jail.

Julius Twohy and Etta McCurdy were convicted and sent to prison. The others were held for a time and released. A writ of habeas corpus was filed in the U.S. District Court for the District of Utah, Central Division by William C. Reed before Federal Judge Willis Ritter who was hearing cases in Boise Idaho. According to testimony giving by Julius Twohy the incarceration of those attending the meeting was perpetrated by their own legal counsel "John S. Boyden" who was legal representative to both the Terminated Indians and the Ute Indian Tribe! William C Reed served as a Deputy U.S. Marshal in the early 1900,s and was a member of the Uinta Band.

On October 11, 1960 the matter of the petition of Julius Twohy and Etta McCurdy for a writ of Habeas Corpus was heard before Judge Ritter in Salt Lake City. Julius Twohy and Etta McCurdy were represented by Ronald Boyce an Attorney from Salt Lake City who presented evidence that these two Uinta Elders had their Constitutional Sixth Amendment rights to Legal Counsel denied them.

After hearing from both sides, Judge Ritter ruled in favor of Julius Twohy and Etta McCurdy and they were ordered to be released from custody.

After his release, Julius Twohy, a proud full-blood Uinta leader was black listed for defending his nation and was forced to live in exile amidst his own people for the remainder of his life. The story behind Julius Twohy's ordeal is not widely known and will be honored at another time.

Of the 490 terminated Uinta's, 258 were minor Children in 1954 when this forced termination came about. Many Uinta children were denied enrollment who where born between 1940 and 1954. Two or maybe three families were singled out whose children were full blood Uinta's and were terminated without their parents consent. They also Terminated a few Uncompaghre children in order to make it look as if there was no discrimination involved in terminating only members of the Uinta Band . The only Indians who were given a choice were Adult Indians listed on the corporate roll's as full-blood.

Soon after the two rolls had been complied the Government took possession of names to in order to keep anyone from contesting any names being added to the final roll under the termination list. Ninety day's after the final roll was complied a notice was to be published in a local area newspaper but instead it was published in a newspaper based in Salt Lake City, Utah which was 150 miles west of the Reservation. Very few Indian had any knowledge that the notice had been published. In the 1950's very few Indians read, let along purchased, any newspaper that was not from the Uinta Basin area.

The Title Nine lands belonging to the terminated minors are now 98% owned by the Ute Indian Tribe which is being held in common grazing stock. These lands fell under two corporate organized under State law. The Antelope Sheep Range Corporation and the Rock Creek Cattle Corporation.

With the passage of the UPA the terminated Uinta Indians became tax pawns to the State of Utah which plunged many into poverty reducing them to third class citizen's. Denied help of any kind because of their status as Indians under Public Law 83-671 68 stat. 868 many were reduced to State Welfare roll's . The cultivated lands the Government claims that were divided and given to the terminated Indians were in reality put up for bid and sold to Non-Indians by the BIA. Very few Terminated Indian received anything except a hand few who had a family member seated on the old Affiliated Ute Citizens board of directors and the Ute Distribution Corporation which was established in 1957 to replace the old AUC and put in operation three years before it was made legal under the law in 1961.

Each Terminated Uinta was to receive stock shares from each of the two corporations. One share from the Rock Creek Cattle Corp. was for two and one half head of cattle. One share from the Antelope Sheep Range Corp. was for 10 head of Sheep. These share's were nothing more then grazing rights.

The Terminated Indian's never were allowed to take personal possession of these stocks. Officials claim receipts were issued to each individual for their interest when the stock was deposited in the trust account at the First Security bank of Utah. The terminated Indians said if receipts were issued for their interests they must be under lock and key because the Indians claim they never saw a receipt yet along receive one!

This is what the Department of the Interior calls the pro rata share in the division of land and assets under the Ute Partition Act.

The following quote is taken from documented material.

With the minor trust accounts deposited with the First Security Bank of Utah in Salt Lake City Utah under the trust agreement. The Commissioner of Indian Affairs on June 15. 1960 and again on September 27, 1960 approved the sale of grazing shares held in trust and approved expenditures of Ute Tribal Funds for the purchase of these shares belonging to the minor children who were terminated. This purchase of the minor children's shares along with the purchase from adult mixed-bloods not under section 22, made it possible for the Full-blood Utes to acquire control of both Corporation's. Some of the Mixed-Blood parents tried to stop the First Security Bank Trust department from selling their minor children's stock but were denied.

Parents of one family with minor children contacted a Utah Attorney who told them he would stop this forced sale and told them he would meet with them in front of the First Security Bank the next morning. As promised he showed up the next morning in front of the Bank. With no explanation he uttered four words to the parents and simply walked away. The four words he said was Have A Good Day!

A letter was sent to President Nixon in which they voiced their concerns involving the illegal sale of the minor children's interest. It took over two years before any response was received, not from the white house but from the Department of the Interior informing them that the two corporation were declared bankrupt which forced the sale.

The terminated Indians were issued a Federal Treasury check in the amount of $1,100 per person for their two animal unit stocks. 170 shares amounted to approximately 176,120 acres of land when the shares reverted back to the Ute Indian Tribe.

Title nine land belonging to the terminated adult mixed-blood's were sold to the Ute Tribe and non-Indians by the thousands of acres. All the Adult mixed-blood Indian's who were making their living rising Livestock and trying to become self-supporting were devastated by this forced sale. With no were to graze their livestock and with no water they were left Destitute. With no way of supporting their families they had no choice but to sell what livestock they had, their home's, everything they had in order to survive.

The Department of the Interior claims the terminated Indians water rights is tied into the land division which John Boyden, the BIA, and the Ute Indian Tribe artfully switch from land to Animal Unit shares and set up the two corporations which were declared bankrupt.

Using this philosophy the terminated Indians have no water rights because non-Indians and the Ute Indian Tribe now own the land stolen from the terminated Indians which was part of the divided assets of the Uintah and Ouray Indian Reservation and supposed to be used for the benefit of the terminated mixed-blood Uinta's.

The Government transferred to the First Security Bank for deposit into the account of the Affiliated Ute Indian Trust for distribution into account's setup for the terminated minor Indian children in the amount of $376,020.21 in cash covering funds on deposit in Bank savings and $2,560.01 covering funds deposited with the U.S. Treasury. Additional assets which might come from the distribution of unadjudicated or unliquidated claims against the United States, all mineral rights of every kind and practicable distribution would be transferred to the Ute Distribution Corporation and handled through the same bank.

Indians claim when they went to withdraw funds from their trust accounts for things such as clothing, grocery's etc. they were often treated rudely and told there was no money in their account by bank officials.

All mineral rights belonging to the Terminated mixed-blood Indians who own allotted land reverted back to the Ute Indian Tribe twenty years after termination took effect. Indians believe this was done so when the reservation is condemned and made public domain, no Indian will retain title to their allotted land mineral rights.

All the allotment land given to Indians in the early 1900's and who were listed as full-blood Uinta at that time but were terminated in 1954 as mixed-blood is now 90% under non-Indians control because of tactics used against these so called emancipated Indians during the seven year division of land and assets.

The Ute Distribution Corporation receives all the undivided interest of the Terminated Indian's which amount to 27% of the undivided assets of the Uintah and Ouray Indian Reservation. It has been estimated that millions of Dollars have been paid out through this Corporation to non-Indians shareholders. Several years ago Utah Citizens began asking why such wealthy Indians were on Utah Welfare Rolls. The

answers is only a handful of the terminated Indians still have stock in this Corporation. Because of the Privacy Act, no one can get a copy of an audit from this Corporation.

In Washington D.C. this Corporation is known as the Ute Development Corporation. But was incorporated as the Ute Distribution Corporation within the State of Utah. Many prominent non-Indian citizens living in the Uinta Basin as well as the Salt Lake City Utah area as well as non-Indians living in other States, have control over all but a handful of the U.D.C. stock ether individually or through trust corporations.

According to the law, stocks organized under and known as unauthorized stocks cannot be taken from the original owners. The Ute Distribution Corporation is not listed on any stock exchange but the stock is handed as common counter stock, sold and bought over the counter. The Ute Distribution Corporation is using the names and roll numbers of the original 490 terminated Uinta's to create the illusion that the Indians still have own stocks. Without the names and roll numbers of these terminated Indians the Ute Distribution Corporation could not claim joint management with the Ute Indian Tribe over the undivided assets on the Uintah and Ouray Indian Reservation!

From 1958 up to and including the mid 1960's, local Merchants in and around the Uinta Basin did everything in their power to gain control of these mineral stocks. The terminated Indians were never allowed to take possession of the stock certificates and were never told there true face value. UDC Officials testified under oath that in meeting held, the terminated Indians were advised not to sell their stocks because the true value could not be determined, but in private conversations with individual terminated Indians they were told by these same UDC officials that if they had a chance to sell their stocks to do so because the stocks were not worth the paper they were printed on!

Local Merchants, such as Car dealers, actively pursued the terminated Indians. Enticing them with what sounded like lucrative deals, talking them into signing over their Stocks as payment for items such as a used car or even a set of new tires! Some Indians were even talked into signing long term contract's for other items by telling them they could use their stocks to secure the loan. These Merchants knew full well from the start that these terminated Indian didn't have the means to keep up the monthly payment's and when they missed a payment creditors would foreclose on the loan, file suit against these Indians, forcing them to give up these so called worthless stocks to pay off the debt they owed.

Title 25, Chapter 14, Subchapter XXVIII, sec. 677i of the U.S. Code reads.

"The stock of any corporation organized by the mixed-blood group for the purpose of empowering the officers of such corporation to act as the authorized representatives of said mixed-blood group in the joint management with the tribe and in the distribution of unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall not be subject to mortgage, pledge, hypothecation, levy, execution, attachment or other similar process, while such stock remains in the ownership of the original stockholder or his heirs or legatees, but the interest of stockholders in any distribution by such corporation shall be subject to the usual processes of the law."

According to the above law the stocks could not be used to secure loans nor could they be taken by default or foreclosure. The Ute Distribution Corporation officers never used the authority given to them under the law in preventing any mixed-blood stocks from being taken by foreclosure. With the aid of U.D.C officers these Merchants were able to circumvent the law and illegally take possession of not only the stocks but in some case's even the land the mixed-bloods owned. According to the termination law these unadjudicated or unliquidated Mineral stocks was to remain in trust for ten years after termination took effect in 1961.

By 1971 the terminated Indians had been rendered landless without the secure future the Government had promised them! An owner of a local Real estate business in Roosevelt UT made a statement during a phone conversation with Reed J. Hendricks of Baltimore Maryland telling him how dumb some of these Indians are because he was able to acquire ten shares of U.D.C. stock for the cost of a set of new tires! Reed J. Hendricks is the Son of Reed Hendricks, one of the original 490 Uinta's who was terminated.

Some people reading this will in all probability conceder this nothing but hear say. But those Indians living today and who lived through these experience's know's its true!

At no time during this era did anyone from the Ute Distribution Corporation, the Secretary of the Interior or the Congress of the United States fulfill their obligation under the law to protect these Indians Citizens during the seven-year transition period while they were still considered wards of the Federal Government!

At the signing of the 1865, un-ratified Irish Treaty. Utah Territorial Governor Brigham Young promised to take all the treaty lands, one valley at a time, that promise has been kept. He stated "We are like the grass, many! You are few and we will take it a valley at a time. But if you move to this place, meaning the Uinta Valley River Reservation, we will never move or molest you again!" Documented in records at the Court of Claims, Washington D.C. Upon receiving Statehood Utah filed a disclaimer to this Reservation in 1896.

Since 1950 and even today, the terminated mixed-blood Uinta's have had to live under the hardship of termination and

also have had to endure deceit and discrimination beyond belief.

Originally the Ute Partition Act required that an annual report be prepared and sent to Congress on progress that the terminated Indians were making. In 1977 the Indians with the help of an Attorney in Washington D.C. tried to trace these annual progress report only to find out that in 1975, the Law terminating the mixed-blood Uinta's had been amended eliminating any chance anyone would get these reports, which many Indians believes were never prepared in the first place. The amendment also allowed a lid to be put in place allowing illegal activity that took place prior to 1975 to be covered up which in effect censored the Indians from questioning the legality of the Ute Partition Act in the first place.

A Utah Republican member of the State legislature from the Uinta Basin area of which the Reservation is a part. Responded with this remark to a question from the Terminated Indians in a meeting held some years back, "The Utah Legislature will do with you people what it wants too!"

In the mean time, the Ute Indian Tribe is like a frog in a pot of water! Put a frog in a pot of hot water and he'll jump out but put that same frog in a pot of room temperature water and slowly turn up the heat. The Frog won't ever realize he's being boiled alive until its too late! This is what's being done to the Uintah and Ouray Indian Reservation. Slowly but steadily the Ute Indians are losing control over the reservation a little at a time and they don't even realize that it's taking place, right under their nose's!

The Terminated Indian's descendents are still claimed under the Johnson/O'malley Act, Title IV, by the Utah public School system which receives subsides from the Federal Government for each Indian child who is enrolled in public schools within the State public school system while the Interior Department maintains this children are not recognized Indians! One Terminated Uinta Mother told me her son became confused while attending High School in Roosevelt, UT. This young Indian boy came home one day after school wanting know why he was considered Indian inside the school building but when he walk down the steps and off the school grounds he ceased to be Indian.

Uinta Band heritage as well as the confederated Ute Bands residing within the Uintah and Ouray Indian Reservation has been slowly dissolving for many years and is being replaced in favor of the dominant society surrounding the Reservation.

If American Indian Tribes will not learn to protect every drop of Indian blood within their own tribes, they too will loose their identity as American Indian just as the terminated Uinta's did in 1954 under the systematic genocidal Governmental political criteria of who can be counted as a recognized American Indian within the United States. The Indian Reorganization Act of 1934 set in motion a Government Indian policy that allow's nonelected Governmental Bureaucrats to commit act's of Genocide towards those Indian Tribes who accept the IRA on their Reservations! This Act, the IRA, violates every treaty the United States Government made with the American Indian and allows trust doctrine to be ignored!

A Uinta Indian was asked at the International Indian Treaty Counsel in 1977 how they could protect Indian blood? The reply was "Count every drop!" The dominant society out numbers Indians by a ratio of One Million to One! The reason this Uinta made this statement is because the dominate society in eastern Utah told the Government while pushing for more land to be taken away from the Indians on the Uintah and Ouray Indian Reservation, that there are not enough Uinta Indians left to have so much land under Treaty! The total number of Uinta Indians listed as members of the Ute Indian Tribe at this time was 270. Prior to the 1954 Ute Partition Act, the Uinta Band numbered 760. This number doe's not include those children born between 1940 and 1954 who were intensionally left off the final Termination rolls.

In the early 1970's termination policy in Washington D.C. had changed and the termination law's were repealed. Out of the Indian Tribes terminated, the Terminated Uinta Indian's were the only group who was not included in the repeal process which was accorded the other Indians who had fell pray to termination. This was because Non-Treaty Indians are controlling Indian policy on the Uintah and Ouray Indian Reservation under the power given to them by I.R.A. Corporate Charter. The Ute Tribe on the Uinta and Ouray Indian reservation is prejudice of and is discriminating against those terminated Uinta Indian and along with Non-Indians has created an Indian against Indian atmosphere within the Uinta Basin area. their excuse is, the I.R.A. and the Ute Partition Act, (H.R. 671)

Door after Door has been slammed shut in the faces of the Uinta people when they've try to do something about this matter. CFR Code was changed to keep these people out while the Common Wealth of Utah, Non-Indian individuals and Non-Indian Trust Corporations reaps the benefits gained from Resources taken from the Uintah and Ouray Indian Reservation and land which belonged to terminated Uinta Indians which was taken from them because of this forced Termination.

The Truths in these matters should shock any person or Nation with a conscience!

One day in Roosevelt Utah, the author of this article over heard the County Attorney tell another man that he was going to teach these Mixed-Blood Indians how to lead! There's a brother hood in the Communities surround the Reservation that will accept the Indians as long as his pockets are full of money, but that acceptance ends when they've gotten the Indians money and hadn't better be caught within the city limits afterwards! In other words, they love the Indian as long as they've got money, but hate them when the don't!

The following testimony is from an Indian women who personal witnessed how the Indians are treated when facing charges for violating the law. In the summer of 1998 this Indian woman happened to be setting in the court room of Duchesne County Judge Anderson. A young white boy was in front of Judge Anderson because of an vehicle accident he was involved in. This young boy was charged with six counts of violating the Law. He was charged with #1- No seat belt, #2- being intoxicated at the scene, #3- No drivers license, #4- No current vehicle registration in the Car, #5- possession of drug paraphernalia, #6- causing private property damage. The Judge ask this boy how he pleaded? The boy pleaded guilty and went on to make a statement that he had no job but would be willing to do community service. The Judge said they would figure out the hours and order the boy to return at a later date. (This white boy never did showed up on the date ordered and we don't know what the out come was!)

The Judge's next case involved an Indian Man who was given a ticket for not coming to a complete stop at a stop sign. As the story go's this man received a phone call from his brother who had been drinking and was intoxicated and needed a ride home. After picking up his brother and heading home they were followed by a police officer who after following them for a while, pulled after he had passed through an intersection in the road. The officer noticed the odor of alcohol and ask the driver if he had been drinking. The Indian man told the police officer that the alcohol he could smell was from his brother and that he had come to a complete stop at the intersection. Never the less the Police Officer cited the Indian. Protesting the citation this Indian appeared in front of Judge Anderson after the Young white boy. The first words out of Judge Anderson mouth was. "You could have been put in Jail for public intoxication." Speaking to the driver who had not been drinking and who was not drunk! The Judge proceeded to ask this Indian all kinds of questions such as the location where he was stopped, ask him for the registration to his car, for proof of insurance and how long he has had insurance, if seat belts were in use, if he had been cited before, and any trouble with the law. The Judge declared the Indian guilty as charged and fined $700.00 while the young white boy was more or less allowed to go free!

Quote: This is how Indians are treated when they try to obey white man's laws!

The following testimony is from the same Indian Woman concerning her Son. "A few years ago, when my terminated Uinta Son was being sentenced in the Uintah County Court on drug charges. Judge Payne stated "Your an Indian and I'm going to make an example out of you." My Son received from one to fifteen years in State Prison." A Notarized affidavit of her testimony is on file concerning the above statements!

In the 1970's several prominent citizens and political figures from several western States formed an organization called the Interstate Congress with full intentions of over turning Treaties made with Indian Tribes in the western United States in order to gain control of Reservation lands. Many prominent white citizens within the Uinta Basin area are members. These local white citizens have actively saute and received support in this cause from Utah State elected government Officials and from U.S. Senators and Congressmen from the State of Utah. Plus they have also solicited support from citizens of other Western State which has large Indian Reservations, such as Wyoming, Montana, Washington and every the State of Nebraska. They've even got support from people from as far away as New York City and even some Officials within the White House in Washington D.C. just to mention a few.

The Terminated Uinta Indians have been told by the Department of the Interior that they have to garner support for their cause from Lawmakers within the State of Utah and in Washington D.C. before any consideration can be made in repealing the Ute Partition Act of 1954!

This question has been asked many time's by those Indians who are suffering because they were terminated. How can we garner support to repeal the Ute Partition Act when local white citizen's and many politicians are reaping the rewards from the mineral resource on the Uintah and Ouray Indian Reservation?

The Terminated Indians have asked the Senate of the United States many time for a Senatorial investigation and each time its either stopped or has went no where!

When will the Ute Tribe wake up to the truth? If things keep going like they are, it won't happen until its too late and will wake up one day to the fact that they, like the Terminated Uinta's, have become Sacrificial Lambs! The Ute Tribe doesn't realize or won't accept the fact that Self-Determination is just another form of Termination,

"Given enough rope and they'll hang themselves!"

When Slate Gordon was the U.S. Senator from the State of Washington, he introduce a bill "S.1691" called the "American Indian Equal Justice Act." This bill was nothing more then a rebirth of the termination policy of the early 1950's. This bill called for the Federal Government to eventually dissolve all Treaty's made with the American Indian Tribes within the United states and to rid the Federal Government of all prior agreement many with American Indian Tribes!

The Terminated Uinta Band of Ute's in Utah is the proven for-runners to the fact's facing Every American Indian within these United States, if the current policy of Indian Identity is not changed to include the Indian Preference Act: "One Drop of Blood Constitutes Indian Identity! Or a direct Descendent of a document enrolled member of an American Indian Tribe! All American Indians are going to lose their Identity plus their Land if the current identification policy is not changed!

No matter what has been done to the Terminated Uinta's

politically or other wise. Most Uinta Indians take pride in their Indian Heritage, even though the bulk of them have been scattered to the four corners of this Nation, and with many forced into living an existence of poverty under the color of law. They have never lost nor will they ever lose their pride in who they are! Their are Uinta!

Needless to say many people have been tared and Feathered several times over for defending the Uinta people's rights to speak the truth. Those giving this tar and feather treatment includes some of our own Uinta's who seems to have something against other Uinta's, the have's viruses the have not's and other's seeking prestige. This divide and conquer method used on the terminated Uinta's has allowed outside interests to gain and keep control over assets that belong to the terminated Indians and serves to keep some of the Terminated Uinta's confused. Government functionary's have ignored the needs of the many by allowing a handful of Terminated Indian to claim leadership over all the Terminated Uinta's through the Affiliated Ute Citizens (A.U.C.) an Organization setup for the Terminated Indians after they were terminated. The Federal Courts have ruled that this Organization has no authority in claiming to represent the Terminated Uinta's and was dissolved when the Ute Distribution Corporation was formed and took the joint management of the undivided assets of the Uintah and Ouray Indian Reservation!

In 1984 a Letter of Intent Committee was formed by seven hundred seventy six individual Indians. Some of these Indians were recognized full-blood Tribal members. The Committee was formed because of all the false promises that had been made with nothing being accomplished on their behalf. The Letter of Intent Committee's main function was to seek solutions to the problems facing the Terminated Uinta's who were rendered indigent by the actions taken by the Ute Distribution Corporation of Utah and the Ute Indian Tribe's joint monopolized management of the undivided asset and in which the U.S. Government is upholding this corporation as the legal representative of the Terminated Indians and in which only maybe less then forty of all the stockholders in this corporation are Terminated Indians.

According to research the Ute Partition Act has been amended at least three time to the benefit of the Ute Indian Tribe and Non-Indian's holding stocks in the Ute Distribution Corporation! Its Ironic to know that from the beginning of this termination policy, one powerful person with deep connections to functionaries (Bureaucrats) with in the Department of the Interior, members of the U.S. Congress and political figures from Utah was responsible for causing this mess! This person was the Attorney John S. Boyden who was the old Tribal Attorney from the late 1940's until the early 1960's. John S. Boyden and his law firm was instrumental in bringing termination upon the Uinta Indians. After termination was implemented on the Reservation he was the one person who caused the formation of the two Corporations in which he was able to be appointed their legal counsel during the seven year transition while at the same time representing the Ute Indian Tribe. The Board of Directors of the Original Affiliated Ute Citizens Organization tried to replace Mr. Boyden with another Attorney siting a conflict of interest, but were told they did not have the legal power to replace him by the Department of the Interior and BIA. It was apparent that John Boyden had went to Washington D.C. and used His influence he had with those Bureaucrats within the Department of the Interior and the BIA to stop the Terminated Indians from firing Him. John S. Boyden was not only the Ute Tribal Attorney and the Attorney for the Terminated Uinta Indian but professed that there was no conflict of interest in him representing both groups during the seven year period of dividing the assets between the Full-bloods and the Mixed-bloods. John S. Boyden also was involved in formulating long range programs dealing with the Colorado Judgement money which preceded Termination!

After the seven year transition period and termination was declared complete, John S. Boyden and his law firm's services was no longer needed but from 1961 up to 1967 he and his law firm colleagues continued to collect fee's and expenses for legal services that was never performed!

On June 11, 1968 a Certified-Return Receipt Requested letter was sent to the Honorable Stewart L. Udall, Secretary of the Interior.

"The United States Attorney for the District of Utah has recently filed an accounting summary captioned, "Affiliated Ute Citizens Trust" in certain litigation pending in Salt Lake City entitled Reyos, et al -vs- First Security Bank, et al. C-39-65.

We have examined the summary and find that there are numerous expenditures there from 1961 which are without our knowledge or approval. We also note, in particular, that there are numerous expenditures for legal services and expenses, although we have not received any legal services of any sort between the period 1961 - 1967. Further more, we are advised that the payments noted on the accounting were made to Mr. John S. Boyden, or others associated with him.

This is very disturbing to us, since Mr. Boyden has performed no service of any type for the Affiliated Ute Citizens of the State of Utah for many years and has, in fact been actively engaged on opposing litigation brought on behalf of the association for its best interest."

The request and resolution indicated an accounting from the Secretary of Interior. According to Preston Allen, (the first elected President of the Old Affiliated Ute Citizens Organization,) this matter was never resolved nor the funds accounted for. Preston Allen is now deceased!

The Boyden Law firm and his Associates holds the contract for the Termination law. This law firm collects revenue from the Federal Government for every year the Ute Partition Act remains in force!

As stated earlier in this article. In the beginning these Uinta people seated on the Old Affiliated Ute Citizens board tried to hire another Attorney but were prevented by the BIA superintendent assigned to the Reservation who told them that they already had an Attorney and that Mr. John S. Boyden was the only Attorney that was approved by the Secretary of the Interior and that they had no choice in who they could hire to represent them! The AUC Board at this time felt they were not being fairly represented by John S. Boyden when it came to the interests of the Terminated Indians, but that he was only looking out for the interests of the Ute Indian Tribe.

When termination was repealed in 1972, BIA Officials on the Uintah and Ouray Indian Reservation had a group of young Indian Men remove box's containing files of Documents on the process surrounding termination from Tribal Offices in Ft. Duchesne, UT and haul these box's to the local dump where they were burned. These Young Men were escorted to and from the dump by Tribal Police Officers until all the file's had been deposited at the dump and burnt. The Tribal Police Offices present during this operation was to insure that none of the file's or documents being disposed of were remove and saved by anyone. This destruction of Official papers was ordered by Department of the Interior and BIA Bureaucrats for the sole purpose of preventing the Terminated Indians from obtaining documented evidence proving the illegal activities of those involved in the implantation of the Ute Partition Act and of the illegal active's of persons after the Uinta Indian's were terminated in 1954.

The Terminated Indians have assumed in the past that all this would come out when they received the redress in Congress they were hoping for. But its a far gone conclusion that it is never going to happen.

During the Clinton administration the President took an interest in the Terminated Uinta Indians situation. But despite this interest the Indians still had the door slammed shut in their faces by the Phoenix area office of the Interior and BIA. Government functionary's did not desire to acknowledge that the Uinta Indians had established an Entity for the reinstatement process.

The Terminated Indians believe that the Department of the Interior in Washington D.C. did not wish to honor this established entity. The Letter of Intent Committee collected the signatures of seven hundred seventy Indians which included the names of a number of recognized Tribal members who supported the letter of intent seeking justice and for the reinstatements of the Terminated Uinta Indians. This letter also questioned by what authority can the United States bequeath the treaty rights of one band to another who had no treaty rights with the United States concerning the Uintah and Ouray Indian Reservation.

The relationship between the true Treaty Indians, "the Uinta's" and the two Ute Bands from Colorado following the establishment of the Ute Indian Tribe of the Uintah and Ouray Indian Reservation was contentious, to state it mildly. But in the following years leading up to the termination of the Uinta's in 1954 the situation turned from contentious to out right discrimination toward the Uinta's by the other two Ute Bands. After Termination the door was also slammed shut concerning the legal right to hunting and fishing and to the traditional Indian way of gathering Pinon Nuts and Berries for the winter on the Reservation which the Uinta's have been doing for generations. Ute Tribal Law enforcement Officers even issued citations to terminated Indians for cutting wood for the winter and impounded their equipment.

Even today during the hunting season, terminated Uinta Indians are denied they right to hunt, but non-Indians are allowed to trespass onto Reservation land by horse back and in four wheel drive vehicles to hunt Elk and Deer! Hunting Permits are even sold to outsiders on land taken under the 1902 Homestead Act and on land taken from the Terminated Indian after they were terminated which according to the Treaty made with the Uinta's when they were forced on to the Reservation, their hunting rights could never be abrogated!

Terminated Uinta's are being denied I.H.S. Services by the Ute Tribal Authority's with the consent of the B.I.A. They are also denied "Self-Help-Mutual-Housing by the Ute Tribal Housing Authority's even though Government Documents say they are eligible. This happened to a family who was terminated when their home burned down on August 18, 1973. Tribal Housing Authority's told the family their were denied because they had no trust property to build a house on! The final blow came when this family found out that the H.U.D. Housing Authority on the U & O Reservation had white men making the decisions over which Indian's were qualified to have a home build and the signature on the denial document was signed by a Ute Tribal member who worked for the Ute Tribal Housing Authority

A letter was sent to Jimmy Carter when he was President of the United States which contained the following information. "Non-Indians are claiming ownership of 1,199,749 acres of land within two County's which are in the original boundary's of the Uinta Valley Reservation. When allotments and with the opening of land within the reservation to Homestead's in 1905 which was forced upon the Indian's, 95,557 acres fell under the Homestead Act of which 28,320 acres were claim by non-Indians as homestead's. This 28,320 acres represent the original homesteads and by researching past land records only four of the hundreds of homestead claims made were ever paid for. Interesting date considering how many acres are currently being claimed as private property by non-Indians. Ownership which is now being challenged in Federal Court by the State of Utah over jurisdiction in order to gain control over all the Treaty Land."

The Letter of Intent Committee knows of several Terminated Indians who lost land during the seven year transition period and how these illegal act's were perpetrated.

Unfortunately, this Letter of Intent Committee was unable to function properly do to the actions of a handful of individuals who claimed only the Affiliated Ute Citizens was legally authorized to represent the Terminated Uinta's and also due to a lack of funds simple because of their status being tied to the Ute Partition Act. These Indians apparently are not eligible for grants of any kind except State Welfare! As a result of this the Letter of Intent Committee was put in recess.

In a letter written by Walter Mills, Assistant Secretary of the Interior (BIA) he wrote, "The Affiliated Ute Citizens are not a Tribe in their own right." Which is why the bulk of the terminated Indians formed the Letter of Intent Committee to establish a true entity. All agencies were notified including two Federal Attorneys in Salt Lake City when the AUC's power play commenced. The Letter of Intent's efforts represented Indians which have been rendered indigent as a result of their forced termination and which is now a game of monopolized interest in the joint management of assets by the Ute Indian Tribe and the Ute Distribution Corporation of Utah and which the Federal Government say are the legal representatives of the Terminated Mixed-Blood Uinta's.

In 1984, the Letter of Intent Committee filed a petition with the Department of the Interior asking for the restoration of the Terminated Mixed-Blood Uinta's. The Department would not acknowledge that a petition was received from the terminated Indians nor would they render any assistance in helping them to submit another petition according to the Interior's guidelines for this process. The Indians were told it would take action by Congress to appeal the Ute Partition Act (Termination.)

The Senate Select Committee on Indian Affairs sent documents to the Ute Indian Tribal offices which was for the Letter of Intent Committee assuming that Tribal authorities would pass these document on to the Letter of Intent Committee. A staff member with the Committee on Indian Affairs in Washington D.C. called to find out if the committee had received the documents which they hadn't. The Committee tracked the path of these document starting from Tribal offices in which they had sent them back to the post office in Ft. Duchesne, UT. When two of the Committee members approached the Post Mistress, she informed them that she didn't know what to do with the documents. So she sent them to the Ute Distribution Corporation offices in Roosevelt, UT. The U.D.C. never made any attempt to forward them to anyone on the committee and even denied having received them. It's struck the Indians personally funny because the Tribe, the Post office, and the U.D.C. knows the Indians mailing addresses whose name's appear on the envelope!

There are files of documented evidence concerning active's and actions that have been perpetrated against the Terminated Mixed-blood Uinta's which the Committee had to send outside of the Uinta Basin for safe keeping, because one Committee members house was broke into in which document were taken. Other Committee members had files ransacked by persons unknown and taken.

In the past, several Attorney's have received huge fee's from settlements made out of court on behalf of the Terminated Uinta Indian people while the Indians only end up in a worse condition then before!

Assistant Secretary of the Interior, Kevin Gover, sent a 22 page document concerning the Terminated Indians rendering a final decision concerning the 83-671 68 stat. 868, Termination Law. The 22 page document is full of information which the Uinta Indians are questioning! The Indians in question have no knowledge of and no say in these matter's concerning their own welfare while serving as tax pawns to the State of Utah for all these years. While the Department of the Interior has slammed the door shut on several occasions by saying, "these Indian are Terminated" when issues involving them are routed back to the Interior Department! The United States Department of the Interior maintains the terminated Indians have received everything they had coming to them under the Termination Law, which is not true, They never received anything but lost everything they originally had before being Terminated!!!

Some years back one of the Elders of the Terminated Uinta's was called to testify in a Idaho State Court in behalf of a relative. During the Elders testimony the prosecuting Attorney with the last name of Clark, asked the Uinta Elder about Indian's? This Elder informed Mr. Clark that (S)he is a terminated Indian from Utah where the Government terminated only a part of the Tribe. Mr. Clark asked what a terminated Indian was? The Elder replied "a terminated Indian is an Indian without a country. On one side we have to keep the white man from skinning us and on the other side we have to keep the full-blood Indian's from scalping us!" A man seated in the back of the Court room said in a loud voice, "AMEN." The Judge presiding over this trial brought down his Gavel ending the testimony of this Elder.

As I stated at the beginning of this article! There is sure to be some who will disagree with what is written here and even retaliation by someone, somewhere, because of what is in this piece. This Article is but a brief History taken from private oral interviews of Elders who lived through the process!

Foot Note:
The title for this article was chosen because, Professor Lockheart at the University of Utah, Called the Uintah and Ouray Indian Reservation, "Another Tea Pot Dome." (It would take a four story building a block long full of computers to manage all the resources in wealth coming from the Reservation.)